

State of Alaska FY2008 Governor's Operating Budget

Department of Administration Public Defender Agency Component Budget Summary

Component: Public Defender Agency

Contribution to Department's Mission

To provide constitutionally mandated legal representation to indigent clients appointed by the court.

Core Services

- ◆ Communicate legal rights, legal process, charges and evidence.
- ◆ Investigate allegations and viable case strategies.
- ◆ Represent clients in court proceedings

End Results	Strategies to Achieve Results
A: Indigent clients receive legal advice to ensure fair opportunity to respond to the state's allegations. **No data is currently available. The Department of Administration has received a capital appropriation for FY07 to procure a case management system	A1: Establish immediate and maintain regular contact with the clients. <u>Target #1:</u> 100% of clients are contacted with 2 days of court appointment. <u>Measure #1:</u> % of cases in which clients were contacted within 2 days of court appointment. A2: Evaluation of completed cases. <u>Target #1:</u> 100% of cases subjected to a peer evaluation are found to be acceptable. <u>Measure #1:</u> % of cases found to be acceptable after peer evaluation review.

FY2008 Resources Allocated to Achieve Results		
FY2008 Component Budget: \$18,964,800	Personnel:	
	Full time	147
	Part time	6
	Total	153

Performance Measure Detail

A: Result - Indigent clients receive legal advice to ensure fair opportunity to respond to the state's allegations.

****No data is currently available. The Department of Administration has received a capital appropriation for FY07 to procure a case management system**

A1: Strategy - Establish immediate and maintain regular contact with the clients.

Target #1: 100% of clients are contacted with 2 days of court appointment.

Measure #1: % of cases in which clients were contacted within 2 days of court appointment.

A2: Strategy - Evaluation of completed cases.

Target #1: 100% of cases subjected to a peer evaluation are found to be acceptable.

Measure #1: % of cases found to be acceptable after peer evaluation review.

Key Component Challenges

Managing increasing caseloads and increasing information processing demands:

- The Public Defender Agency recently experienced its largest caseload increases in the more costly and time consuming cases: over fiscal years FY05 and FY06 felony cases increased approximately 15% and felony merit appeals increased over 200%.
- The increase in caseload has been accompanied by an increase in the amount of information and documents that must be managed. Our ability to process documents has recently been estimated at over two weeks from receipt to review by the appropriate attorney.

Significant Changes in Results to be Delivered in FY2008

The Agency's core services and performance measures have been redrafted. With the expected addition of a new Case Management System, the Agency is seeking to publish performance measure results by the end of FY08.

Major Component Accomplishments in 2006

- Prepared Criminal Rule change proposal to clarify indigency determination procedures, and to verify the accuracy of the Indigency Determination process through a statewide audit. Obtained assurances from the Court System to begin audit process and to follow certain suggested procedures during the rule change review process.
- Revised procedure for transferring conflict cases from the PDA to the OPA, reducing unnecessary and costly litigation, and the time necessary to assign new counsel to the case.
- Obtained appropriation to secure new case management system.

Statutory and Regulatory Authority

U.S. Constitution, Amendment VI
Alaska Constitution, Article 1, Sec.11
AS 18.85.010 et seq.
Alaska Criminal Rule 39 and 39.1 and
Appellate Rule 209

The Federal Right to Counsel
The State Right to Counsel
The Public Defender Agency Enabling Statute
Financial Eligibility Guidelines for Appointed Counsel

Contact Information

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Public Defender Agency Component Financial Summary

All dollars shown in thousands

	FY2006 Actuals	FY2007 Management Plan	FY2008 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	12,516.6	14,264.1	16,304.3
72000 Travel	350.8	396.8	396.8
73000 Services	2,251.1	1,945.3	1,989.5
74000 Commodities	284.5	201.3	201.3
75000 Capital Outlay	0.0	91.0	72.9
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	15,403.0	16,898.5	18,964.8
Funding Sources:			
1004 General Fund Receipts	14,748.2	16,268.4	18,287.3
1005 General Fund/Program Receipts	230.9	243.7	275.5
1007 Inter-Agency Receipts	199.2	109.7	109.7
1037 General Fund / Mental Health	144.2	150.6	166.2
1092 Mental Health Trust Authority Authorized Receipts	75.1	106.1	106.1
1108 Statutory Designated Program Receipts	5.4	20.0	20.0
Funding Totals	15,403.0	16,898.5	18,964.8

Estimated Revenue Collections

Description	Master Revenue Account	FY2006 Actuals	FY2007 Management Plan	FY2008 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	199.2	109.7	109.7
General Fund Program Receipts	51060	230.9	243.7	275.5
Statutory Designated Program Receipts	51063	5.4	20.0	20.0
Mental Health Trust Authority Auth.Rec.	51410	75.1	106.1	106.1
Restricted Total		510.6	479.5	511.3
Total Estimated Revenues		510.6	479.5	511.3

**Summary of Component Budget Changes
From FY2007 Management Plan to FY2008 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2007 Management Plan	16,662.7	0.0	235.8	16,898.5
Adjustments which will continue current level of service:				
-Year Two Fiscal Note for SB 237, Addition of Six Superior Court Judges	-18.1	0.0	0.0	-18.1
-Fund Source Adjustment for Exempt Employees Health Insurance Increases	0.1	0.0	-0.1	0.0
-FY 08 Health Insurance Increases for Exempt Employees	17.8	0.0	0.1	17.9
-Fund Source Adjustment for Retirement Systems Increases	12.4	0.0	-12.4	0.0
Proposed budget increases:				
-FY 08 Internal Dept Cost Increase due to Retirement Systems Rate Increases	44.2	0.0	0.0	44.2
-FY 08 Retirement Systems Rate Increases	2,009.9	0.0	12.4	2,022.3
FY2008 Governor	18,729.0	0.0	235.8	18,964.8

**Public Defender Agency
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2007</u> <u>Management</u> <u>Plan</u>	<u>FY2008</u> <u>Governor</u>		
Full-time	147	147	Annual Salaries	10,232,643
Part-time	6	6	Premium Pay	0
Nonpermanent	13	13	Annual Benefits	7,098,382
			<i>Less 5.92% Vacancy Factor</i>	<i>(1,026,725)</i>
			Lump Sum Premium Pay	0
Totals	166	166	Total Personal Services	16,304,300

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Accounting Clerk II	1	0	0	0	1
Administrative Assistant	1	0	0	0	1
Administrative Clerk I	0	0	0	2	2
Administrative Clerk II	2	1	0	0	3
Administrative Clerk III	1	0	0	0	1
Administrative Manager III	1	0	0	0	1
Analyst/Programmer II	0	0	0	1	1
Assoc Attorney I	5	0	1	2	8
Assoc Attorney II	1	0	0	0	1
Attorney I	0	0	0	1	1
Attorney II	6	3	0	12	21
Attorney III	9	4	2	7	22
Attorney IV	19	2	1	14	36
Attorney V	6	1	1	4	12
Investigator II	0	2	0	3	5
Investigator III	0	1	0	3	4
Law Office Assistant I	7	3	3	14	27
Law Office Assistant II	3	1	0	8	12
Law Office Manager II	1	0	0	0	1
Paralegal I	2	0	0	2	4
Paralegal II	1	0	0	0	1
Public Defender	1	0	0	0	1
Totals	67	18	8	73	166